

ORIGINALUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

: SEALED INDICTMENT

- v. -

: 12 Cr.

12 CRIM 606ROGELIO GARCIA,
a/k/a "Solo Vino,"

:

:

Defendant.

:

- - - - -X

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2007 through the present, in Colombia and elsewhere, ROGELIO GARCIA, a/k/a "Solo Vino," the defendant, who will be arrested and first brought to the Southern District of New York, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ROGELIO GARCIA, a/k/a "Solo Vino," the defendant, and others known and unknown, would and did possess with the intent to distribute a controlled substance, to wit, five kilograms and more of a mixture and substance containing a detectable amount of cocaine, on board an aircraft owned by a United States citizen and registered in the United States, in violation of Sections 812, 959(b), and 960(b)(1)(B) of Title 21, United States Code.

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OVERT ACT

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt act, among others, was committed:

a. In or about November 2011, ROGELIO GARCIA, a/k/a "Solo Vino," the defendant, sent a text message to a co-conspirator not identified herein ("CC-1") regarding a United States registered airplane.

(Title 21, United States Code, Sections 959 and 963, and Title 18, United States Code, Section 3238.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ROGELIO GARCIA, a/k/a "Solo Vino," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. §§ 853 and 970, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

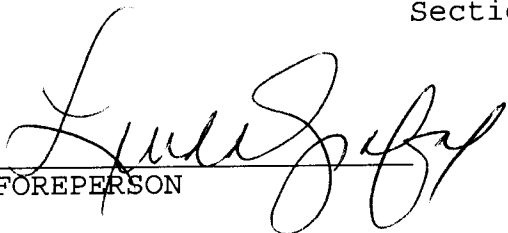
Substitute Asset Provision

5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant -

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code,
Sections 853 and 970.)


FOREPERSON


PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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- v. -

ROGELIO GARCIA
a/k/a "Solo Vino"

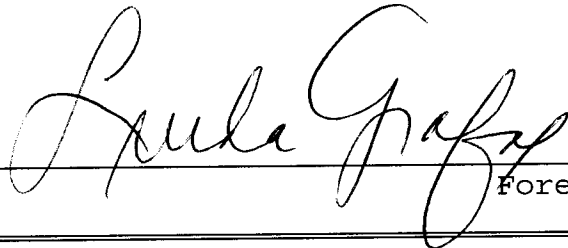
Defendant.

SEALED INDICTMENT

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(21 U.S.C. §§ 959 and 963,
18, U.S.C. , § 3238)

PREET BHARARA
United States Attorney.


Foreperson.

8/17/12 Fld Indictment under seal. Arrest warrants Issued.

Priaman, USMJ

